

IN RE: PETITION FOR SPECIAL HEARING  
SW/S Chesaco Avenue, 303' SE  
of Bridge Avenue  
(1127 Chesaco Avenue)  
15th Election District  
7th Councilmanic District  
John F. Luckhardt, et ux  
Petitioners

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 88-349-SPH

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve a use permit for parking in a residential zone, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by letter dated January 13, 1988 from Mr. John F. Luckhardt to J. Robert Haines, informed the Zoning Commissioner that they would not be in attendance. Milton G. Grodnitzky, the Contract Purchaser of the subject property, appeared, testified and was represented by E. Harrison Stone, Esquire. Tony Cortez of STV Lyon Associates, Inc. appeared and testified on behalf of the Petition. David J. Taylor, a neighboring resident, appeared not as a Pro-Testant but to obtain additional information regarding the proposal for the subject property.

Testimony indicated that Mr. & Mrs. Grodnitzky and their son own and operate a window treatment business known as the Crown Shade Company. Mr. Grodnitzky testified that he has been in the business of manufacturing window shades for 45 years and that his business currently operates out of Baltimore City. Mr. & Mrs. Grodnitzky entered into a contract of sale for the subject property in 1986 for the purposes of relocating his current business.

Mr. Cortez testified that the subject property is split zoned D.R. 5.5 and M.H.-I.M. and consists of approximately 20 acres. Mr. & Mrs. Grodnitzky propose to construct a one-story office/manufacturing building on the M.H.-I.M. zoned portion of the property with the capacity to expand in the future. A

alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19th day of February, 1988 that a use permit for parking in a residential zone, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Special Hearing is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall comply with all CRG requirements.
- 3) Petitioner shall comply with all requirements imposed by DEPRM, including, but not limited to, their recommendations as set forth in their letter dated February 3, 1988 from Robert W. Sheesley to Gene L. Neff which has been attached hereto and made a part hereof.
- 4) Only passenger vehicles, excluding buses, may use the parking area depicted on Petitioner's Exhibit 1 in the D.R. 5.5 zone.
- 5) No loading, service, or any use other than parking shall be permitted in the parking area in the D.R. 5.5 zone.
- 6) Lighting shall be directed away from all residences, shielded to prevent glare on the residences, and the location and hours of illumination shall be as determined by the reached, the matter shall be set in for another hearing for specification as to the location and hours of illumination.

parking lot containing 38 spaces will be located on the D.R. 5.5 zoned portion of the property. Initial plans call for 5,000 sq.ft. of office space and 70,000 sq.ft. for the manufacturing operation of the business. Mr. Cortez indicated that since the property falls within the critical Chesapeake Bay areas his office has made every effort to work with Baltimore County's Department of Environmental Protection and Resource Management (DEPRM) to insure the proposed plan satisfies the concerns of the Department. Mr. Cortez indicated that Petitioner's Exhibit 1 had been approved by the County Review Group (CRG) on February 4, 1988. He further indicated that he had reviewed the letter dated February 3, 1988 from Robert W. Sheesley, Director of DEPRM to Gene L. Neff, Director of Public Works and that as part of the CRG approval process, the Petitioner has agreed to comply with all requests set forth therein by DEPRM. Mr. Cortez introduced as Petitioner's Exhibit 2 a plat of the Petitioner's landscaping plan for the property which is indicated complies with Baltimore County's Landscaping Manual and has been approved by the Office of Current Planning and Development.

Mr. Grodnitzky testified that the proposed plan complies with the criteria set forth in Section 409.4 of the Baltimore County Zoning Regulations (B.C.Z.R.). He indicated that only passenger vehicles would be permitted to park in the parking area in the D.R. 5.5 zone. No loading, service, or any other use of the parking area in the D.R. 5.5 zone will be permitted. He indicated that all loading would be limited to the area designated as "loading" on Petitioner's Exhibit 1. Mr. Grodnitzky testified that lighting for not only the parking area in the D.R. 5.5 zone but also in the M.H.-I.M. zoned area will be regulated as to location, direction, hours of illumination, glare and intensity in a manner that will take into consideration the concerns, safety and welfare of the adjoining residential property owners. Mr. Grodnitzky indicated that all lights will be directed away from the residential area toward the building and

- 7) The property shall be landscaped in accordance with the Baltimore County Landscaping Manual and at least to the extent set forth in Petitioner's Exhibit 2.
- 8) The parking area shall be surfaced as required by DEPRM and maintained and treated as necessary.
- 9) Use of the parking area located in the D.R. 5.5 zone shall be no earlier than 6:00 AM nor later than 8:00 PM Monday through Saturday. If the business needs or property owner changes, the property owner may request a new hearing for a determination as to the appropriateness of increasing the hours of operation. However, a change shall be made only after the opportunity for the adjoining property owners to comment has been given.

ARM:bjb  
ADN M. NASTARWICZ  
Deputy Zoning Commissioner  
of Baltimore County

will be shielded as necessary. He further indicated that the hours of illumination may involve some of the lights being on throughout the night to prevent vandalism and trespassers from entering his property and neighboring residential boundaries through his property. Mr. Grodnitzky indicated that if any of the adjoining property owners had a problem with the lighting, an effort would be made to insure that their needs were met; however, if this was not feasible, he agreed to come back for another public hearing to determine the appropriateness of the location, direction, hours of illumination, glare and intensity of the lighting. Mr. Grodnitzky agreed that the parking lot would be surfaced as required by DEPRM which may be a pervious surface that has been treated to insure that it is dustless. The surface should not be paved with macadam due to its location in the critical areas. With respect to the hours of operation, Mr. Grodnitzky indicated that the general hours of business are from 7:30 AM to 4:00 PM with individuals arriving an hour before the start of the day and leaving an hour or so at the end of the day. Mr. Grodnitzky's business generally does not require operation on Saturdays on a regular basis or at any time on Sundays. Mr. Grodnitzky testified that he had met with community representatives who indicated they were in favor of his proposal.

Mr. David Taylor testified that while he was not at any of the meetings, he had spoken to representatives of the community who had visited Mr. Grodnitzky's business in Baltimore City. He verified that the community was in favor of having the Crown Shade Company locate its business in the area. Mr. Taylor indicated that, prior to the hearing, he was concerned with the lighting, hours of operation, and plans regarding screening of the property. After hearing Mr. Grodnitzky's plans and reviewing the landscaping plan identified as Petitioner's Exhibit 2, Mr. Taylor commented that the proposal may, in fact, be an improvement to the area.

#### PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the issuance of a use permit to allow parking in a residential zone pursuant to Section 409.4 of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, We do solemnly declare and affirm, under the penalties of perjury, that I, we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser <u>Milton G. Grodnitzky</u> (Type or Print Name) <u>Marilyn K. Grodnitzky</u> (Type or Print Name) <u>2114 Chesaco Ave.</u> Address <u>Baltimore, Md. 21204</u> City and State	Legal Owner(s): <u>John F. Luckhardt</u> (Type or Print Name) <u>Marie E. Luckhardt</u> (Type or Print Name) <u>1127 Chesaco Ave.</u> Address <u>Baltimore, Md. 21204</u> City and State
Signature <u>E. Harrison Stone</u> Address <u>1000 E. Pratt St.</u> City and State <u>Towson, Maryland 21204</u>	Signature <u>John F. Luckhardt</u> Address <u>1127 Chesaco Ave.</u> City and State <u>Baltimore, Md. 21204</u>
Signature <u>Robert W. Sheesley</u> Address <u>1000 E. Pratt St.</u> City and State <u>Towson, Maryland 21204</u>	Signature <u>Marie E. Luckhardt</u> Address <u>1127 Chesaco Ave.</u> City and State <u>Baltimore, Md. 21204</u>

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of February, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the 19th day of February, 1988, at 2:00 o'clock P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

The Petitioner seeks relief from Section 409.4, pursuant to Sections 500.7 and 502.1 of the B.C.Z.R.

It is clear that the use of the terms "use permit" and "special exception" are intended to be interchangeable and that the import of either is the same. See Hofmeister v. Frank Realty Co., 373 A.2d 273 (1977). The request for a use permit under Section 409.4 is in reality a request for a special exception. Therefore, in order for a use permit to be approved, the property owner must satisfy the burden of proof required by Section 502.1.

It is clear that the B.C.Z.R. permit the parking area requested in a D.R. zone by special permission. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity of the proposed off-street parking. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted, with certain restrictions as more fully described below.

The Petitioner has the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances of the use proposed by the Petitioner do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or

#### STV LYON ASSOCIATES

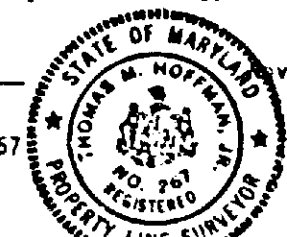
ENGINEERS ARCHITECTS PLANNERS  
21 GROVENOR'S COURT  
BALTIMORE, MD 21207-2722  
301/944-9112

ZONING DESCRIPTION  
NO. 1127 CHESACO AVENUE  
ELECTION DISTRICT 15-7  
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a 96 degree angle break point in the southwest right-of-way line of Chesaco Avenue (30 feet wide R/W), said point being South 47°28' East 303 feet, more or less, from the intersection of the southeast right-of-way line of Bridge Avenue (30 feet wide R/W) and said southwest right-of-way line of Chesaco Avenue, thence running with the southeast right-of-way line of said Chesaco Avenue

1. North 36°26' East 38 feet, more or less, thence running with the southeast right-of-way line of Patapsco Freeway (Interstate Route 695) the two following courses and distances;
2. South 34°39'21" East 81 feet, more or less, thence
3. South 19°45'44" East 680 feet, more or less, thence running with the northwest right-of-way line of The P., B., and W. Railroad the two following courses and distances;
4. South 58°36' West 492 feet, more or less, thence
5. South 68°47' West 514.09 feet, thence running along the waters of Back River the two following courses and distances;
6. North 68°48' West 481.92 feet, thence
7. North 52°00' West 56.1 feet, thence running with the southeast right-of-way line of aforementioned Bridge Avenue
8. North 38°00' East 700.55 feet, thence leaving said Avenue
9. South 47°28' East 150 feet, thence
10. North 38°00' East 70.00 feet, thence
11. North 47°28' West 18.00 feet, thence
12. North 38°00' East 636 feet, more or less, thence running with aforementioned southwest right-of-way line of Chesaco Avenue
13. South 47°28' East 171 feet, more or less, to the point of beginning ... containing 20.0 acres of land, more or less.

Thomas M. Hoffman, Jr.  
STV LYON ASSOCIATES  
Thomas M. Hoffman  
MD Reg. Property Line Surveyor No. 267



STV ENGINEERS, ENGINEERS ARCHITECTS PLANNERS (Professional Seal)  
STV, Maryland's Construction 217, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



February 19, 1988

E. Harrison Stone, Esquire  
Royston, Mueller, McLean & Reid  
102 W. Pennsylvania Avenue, Suite 600  
Towson, Maryland 21204

RE: Petition for Special Hearing  
SW/S Chesaco Avenue, 303' SE of Bridge Avenue  
(1127 Chesaco Avenue)  
15th Election District - 7th Councilmanic District  
John F. Luckhardt, et ux - Petitioners  
Case No. 88-349-SPH

Dear Mr. Stone:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Special Hearing has been Granted, subject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. NASTARONICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs  
Enclosures

cc: Mr. & Mrs. Milton G. Grodnitzky  
2411 Logan Road, Owings Mills, Md. 21117

Mr. Tony Cortez  
STV Lyons Associates, 21 Governor's Court, Baltimore, Md. 21207

Mr. David J. Taylor  
8107 Linden Avenue, Baltimore, Md. 21237

People's Counsel

File

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER  
SW/S Chesaco Ave., 303' SE : OF BALTIMORE COUNTY  
Bridge Ave. (1127 Chesaco Ave.) :  
15th Election District :  
7th Councilmanic District :  
JOHN F. LUCKHARDT, et ux, : Case No. 88-349-SPH  
Petitioners :  
ZONING OFFICE  
JAN 25 1988

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 22nd day of January, 1988, a copy of the foregoing Entry of Appearance was mailed to E. Harrison Stone, Esquire, Royston, Mueller, McLean & Reid, Suite 600, 102 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman  
Peter Max Zimmerman

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 15th Date of Posting: 1/22/88  
Posted for: Special Hearing  
Petitioner: John F. Luckhardt, et ux  
Location of property: SW/S Chesaco Ave., 303' SE of Bridge Ave.  
1127 Chesaco Ave.  
Location of Sign: Petitioners in front of property  
Remarks: Petitioners in front of property  
Posted by: [Signature] Date of return: 1/22/88  
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD, Jan. 22, 1988  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Jan. 22, 1988.

THE JEFFERSONIAN,

[Signature]  
Publisher

NOTICE OF HEARING  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and the Zoning Regulations, will hold a public hearing on the property identified below in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:  
Petition for Special Hearing  
Case number: 88-349-SPH  
SW/S Chesaco Avenue, 303' SE of Bridge Avenue (1127 Chesaco Avenue)  
15th Election District - 7th Councilmanic District  
Petitioners: John F. Luckhardt, et ux  
DATE/TIME: WEDNESDAY, FEBRUARY 17, 1988 at 9:30 a.m.  
In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will however, entertain any request for a stay of the issuance of and proceed during this period for good cause shown. Such request must be in writing and received in the office of the Zoning Commission no later than the date of the hearing, set above as provided at the hearing.  
J. ROBERT HAINES  
Zoning Commissioner  
Baltimore County  
1228 Jan 25

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and the Zoning Regulations, will hold a public hearing on the property identified below in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:  
Petition for Special Hearing  
Case number: 88-349-SPH  
SW/S Chesaco Avenue, 303' SE of Bridge Avenue (1127 Chesaco Avenue)  
15th Election District - 7th Councilmanic District  
Petitioners: John F. Luckhardt, et ux  
DATE/TIME: WEDNESDAY, FEBRUARY 17, 1988 at 9:30 a.m.  
In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will however, entertain any request for a stay of the issuance of and proceed during this period for good cause shown. Such request must be in writing and received in the office of the Zoning Commission no later than the date of the hearing, set above as provided at the hearing.  
J. ROBERT HAINES  
Zoning Commissioner  
Baltimore County  
1228 Jan 25

PAPERS OF MARYLAND, INC.

r. Md. Jan. 28, 1988  
annexed, Reg. #11713, P.O. #96165  
SUCCESSIVE WEEKS/DAYS previous  
ary. 19.88, in the  
es, a daily newspaper published  
Imminster, Carroll County, Maryland.  
a weekly newspaper published  
in Baltimore County, Maryland.  
a weekly newspaper published  
in Baltimore County, Maryland.  
PAPERS OF MARYLAND, INC.  
er. [Signature]

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 22nd day of December, 1987.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: John F. Luckhardt, et ux Received by: James E. Dyer  
Petitioner's Attorney: E. Harrison Stone, Esquire Chairman, Zoning Plans Advisory Committee

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Date: FEB 11 1988

Mr. & Mrs. John F. Luckhardt  
1127 Chesaco Avenue  
Baltimore, Maryland 21237

Re: Petition for Special Hearing  
Case number: 88-349-SPH  
SW/S Chesaco Avenue, 303' SE of Bridge Avenue  
(1127 Chesaco Avenue)  
15th Election District - 7th Councilmanic District  
Petitioners: John F. Luckhardt, et ux

Dear Mr. & Mrs. Luckhardt:

Please be advised that \$54.50 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign(s) from the property from the time it posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 45970  
DATE: 2/11/88 ACCOUNT: [Signature]  
AMOUNT: \$54.50  
RECEIVED FROM: [Signature]  
FOR: [Signature]  
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing  
Case number: 88-349-SPH  
SW/S Chesaco Avenue, 303' SE of Bridge Avenue  
(1127 Chesaco Avenue)  
15th Election District - 7th Councilmanic District  
Petitioners: John F. Luckhardt, et ux  
DATE/TIME: WEDNESDAY, FEB. 17, 1988 at 9:30 a.m.

Special Hearings: The issuance of a use permit to allow parking in a residential zone pursuant to Section 409.4 of the Baltimore County Zoning Regulations.

In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will however, entertain any request for a stay of the issuance of and proceed during this period for good cause shown. Such request must be in writing and received in the office of the Zoning Commission no later than the date of the hearing, set above as provided at the hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 45676  
DATE: 2/11/88 ACCOUNT: [Signature]  
AMOUNT: \$54.50  
RECEIVED FROM: [Signature]  
FOR: [Signature]  
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Kutsche  
Chief

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Re: Property Owner: John F. Luckhardt, et ux (Critical Area)

Location: SW/S Chesaco Avenue, 303' SE Bridge Avenue

Item No.: 190

Zoning Agenda: Meeting of 12/1/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at ENCLOSURE the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]  
Planning Group Fire Prevention Bureau  
Special Inspection Division

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 10, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

E. Harrison Stone, Esquire  
Royston, Mueller, McLean & Reid  
Suite 600, 102 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No. 190 - Case No. 88-349-SPH  
Petitioner: John F. Luckhardt, et ux  
Petition for Special Hearing

Dear Mr. Stone:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
James E. Dyer/KRB  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:krb

Enclosures

cc: STV Lyons Associates  
21 Governor's Court  
Baltimore, Maryland 21207



## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines  
TO: Zoning Commissioner  
Date: February 16, 1988

P. David Fields  
FROM: Director of Planning and Zoning

SUBJECT: Zoning Petition No. 88-349-SPH

This project was approved by the CRG on February 4, 1988. Assuming compliance with the comments of the Department of Environmental Protection and Resource Management, this office is supportive of the granting of the subject request.

P. David Fields per J. Haines  
P. David Fields  
Director

PDF:JGR:dm

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel  
File

CPS-008

Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner



## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing  
Case number: 88-349-SPH  
Site: 5111 Chesapeake Avenue, 3.33' SE Bridge Avenue  
(1127 Chesapeake Avenue)  
10th Election District - 7th Councilmanic District  
Petitioner: John F. Luckhardt, et ux  
DATE/TIME: WEDNESDAY, FEB. 17, 1988 at 9:30 a.m.

Special Hearing: The issuance of a use permit to allow parking in a residential zone pursuant to Section 499.4 of the Baltimore County Zoning Regulations.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: E. Harrison Stone, Esq.

John F. Luckhardt, et ux

File

Baltimore County  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204  
494-3354

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 184, 185, 186, 187, 188, 189, 190, 191, 192, and 193.

December 14, 1987

Very truly yours,

Michael S. Flanigan  
Traffic Engineer Associate II

MSF:ab

RECEIVED  
JAN 20 1988  
ZONING OFFICE

January 13, 1988

J. Robert Haines  
Zoning Commissioner  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Petition for Special Hearing  
(Copy Enclosed)

Dear Mr. Haines,

Please be informed that we will not attend the Hearing outlined on the notice enclosed with this letter.

The contract purchaser, Mr. Milton Grodnitzky and/or his counsel, E. Harrison Stone will attend the Hearing.

Should there be any questions relating to this matter please feel free to contact me.

Sincerely,

John F. Luckhardt  
John F. Luckhardt

RECEIVED  
JAN 20 1988  
ZONING OFFICE

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENT

88-349-SPH

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 190, Zoning Advisory Committee Meeting of December 1, 1987  
Property Owner: John F. Luckhardt, et ux  
Location: 5111 Chesapeake Ave District 15  
Water Supply: mtr Sewage Disposal: mtr

## COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- ( ) Prior to new installation of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation before work begins.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovation to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Natural and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- ( ) Prior to raising of existing structure/s, petitioner must contact the Division of Waste Management at 494-3748, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3748.
- ( ) Soil percolation tests, have been conducted.
- ( ) The results are valid until \_\_\_\_\_.
- ( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ( ) shall be valid until \_\_\_\_\_.
- ( ) is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

Others: See attached memo dated February 3, 1988 regarding this zoning item. Contact Mr. Dave Flowers at 494-3750 for any additional information needed.

Kenneth H. Henry

Mr. Gene L. Neff, Director  
Department of Public Works

Robert D. Sheesley

Crown Shade Co.  
1127 Chesapeake Drive

February 3, 1988

This property is located on the south side of Chesapeake Avenue west of Windlass Freeway 1-695 and east of Bridge Avenue. It is a 16.22 acre site with a land use of woodland, agriculture and the remaining vacant. The proposed land use is manufacturing and office. The existing zoning is D.R.3.5 and MH-1M.

The property is currently within the Chesapeake Bay Critical Area and is classified as Limited Development Area. Development activity is permitted if it complies with the regulations of the Chesapeake Bay Critical Area Commission promulgated in COMAR 14.15.02.04.

This development plan shall incorporate a wildlife corridor system that connects the largest undeveloped or most vegetative tract of land within and adjacent to the site in order to provide continuity of existing wildlife and plant habitats. To ensure the maintenance of this corridor a conservation easement, restrictive covenants or similar shall be established.

The developer shall consider the recommendations of the Maryland Forest, Parks, and Wildlife Service when planning development on forested lands. All forests that are allowed to be cleared or developed shall be replaced in the Critical Area on not less than an equal area basis. No more than 20% of any forest or developed woodland is to be removed from the site if no forest is established on this proposed development site, the site shall be planted to provide a forest or developed woodland cover of at least 15%. All forest designated on development plans shall be maintained to the extent practicable, through conservation easements, restrictive covenants or other protective instruments.

For stormwater runoff, rain caused impervious areas shall be limited to 15% of the site. The proposed manufacturing and office facility and the addition to this facility for future expansion is not to exceed 120,000 sq. ft. in accordance with Bill 098-87. The 120,000 sq. ft. is less than the 15% limitation of impervious area. However, this proposed 120,000 sq. ft. building and the loading area, parking area and roadways exceed the 15% rule. Therefore, a pervious material will have to be utilized, such as stone, gravel or pervious pavement.

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENT

1-25-88

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 190, Zoning Advisory Committee Meeting of 12-1-87  
Property Owner: John F. Luckhardt, et ux  
Location: 5111 Chesapeake Ave District 15  
Water Supply: mtr Sewage Disposal: mtr

## COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- ( ) Prior to new installation of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation before work begins.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovation to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Natural and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- ( ) Prior to raising of existing structure/s, petitioner must contact the Division of Waste Management at 494-3748, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3748.
- ( ) Soil percolation tests, have been conducted.
- ( ) The results are valid until \_\_\_\_\_.
- ( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ( ) shall be valid until \_\_\_\_\_.
- ( ) is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

Others: Use permit is presently under study by the Division of Environmental Health. Contact David Flowers at 494-3748 if further information is required.

BUREAU OF WATER QUALITY AND F. SOURCE  
MANAGEMENT

Mr. Gene L. Neff  
February 3, 1988  
Page 2

## (2) For stormwater runoff (COMAR 08.05.05):

- (a) Limitation on Stormwater Runoff. Development may not cause downstream property, watercourses, channels, or conduits to receive stormwater runoff at a higher volume or rate than would have resulted from a 10-year storm were the land in its predevelopment state.
- (b) Storage Capacity. All stormwater storage facilities shall be designed with sufficient capacity to achieve water quality goals of this Subtitle and to eliminate all runoff caused by the development in excess of that which would have come from the site if it were in its predevelopment state.
- (c) Stormwater management measures shall be consistent with the requirements of Natural Resources Article, G-11A-01 et seq., Annotated Code of Maryland.

Soil borings taken on the site indicate that infiltration of storm water is feasible. This is to be accomplished under the proposed parking and loading area on the southeast side of proposed building. This will require a 2 and 10 year peak as per Storm Water Management Law. Also, it will require a 10 year peak and volume to be in accordance with the Chesapeake Bay Critical Area Law.

If infiltration is not feasible or if infiltration is not required by the Critical Area Law, then Storm Water Management priority measures are to be followed:

- (1) Vegetated swales - retention - extended detention
- (2) Two and 10 year 24-hour volume management
- (3) Adequate outfall required
- (4) At least one additional soil boring will be required at final design; however, soil borings provided for proposed infiltration drywell sufficient to demonstrate that infiltration is feasible in this location.
- (5) Note should be added to plan which states that future expansion shown will drain to the stormwater management facility shown.
- (6) There is concern with the proposed rip rap swale draining to existing wooded swale (steep slopes). The proposed ditch may have to be extended downslope into the woods.

The CRG plan is to show Storm Water Management in two locations: under parking and a pond on southeast side of building.

Mr. Gene L. Neff  
February 3, 1988  
Page 3

These findings indicate that this proposal will:

- minimize adverse impacts on water quality that results from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
- conserve fish, wildlife and plant habitat; and
- are consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact, that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

Therefore, this proposal on subject property is in compliance with the Chesapeake Bay Critical Area Law.

Robert W. Sheesley, Director  
Dept. of Environmental Protection  
and Resource Management

RWS/jbm

ROYSTON, MUELLER, MCLEAN & REID  
ATTORNEYS AT LAW

R. TAYLOR MCLEAN  
RICHARD A. REID  
E. HARRISON STONE  
MILTON R. SMITH, JR.  
C. S. KLINGELHOFER III  
THOMAS F. McDONOUGH  
LAWRENCE F. HANSLIP  
LAUREL P. EVANS  
KEITH R. TRUFFER  
ROBERT S. HANDZO  
EDWARD J. GILLISS  
C. LARRY HOFMEISTER, JR.  
ELIZABETH P. S. STELLMANN

SUITE 600  
102 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4575  
(301) 823-1800  
TELECOPIER FAX (301) 828-7838

OF COUNSEL  
CARROLL W. ROYSTON  
H. ANTHONY MUELLER  
JOHN L. ASKEW

November 17, 1987

RECEIVED  
NOV 20 1987  
ZONING OFFICE

Mr. J. Robert Haines  
Zoning Commissioner for  
Baltimore County  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Petition for Special Hearing for Parking in a  
Residential Zone (John F. Luckhardt, et. al) Item 190

Dear Commissioner Haines:

It would be much appreciated if you would schedule the above-captioned matter for the earliest possible hearing. The basis for this request is that the underlying contract for the sale of such property is contingent upon the issuance of various permits which can not be obtained until you have affirmatively ruled for the Petitioner at such hearing.

For over a year, Mr. Haley of Baltimore County's Office of Economic Development and Councilman Dale Volz have been working with Mr. Grodnitzky on behalf of Crown Shade Company to resolve various issues in connection with the development of such property. Because of site restraints, and in particular the need to park in a residential zone, the project has lagged far beyond Mr. Grodnitzky's original need to expand and relocate his current facilities from Baltimore City. Unfortunately, unless a very early hearing is held, Mr. Grodnitzky will be further faced with the possible loss of his newly-acquired customers who have entered into business arrangements with him in anticipation of an earlier completion of his proposed County facility.

As we will point out at the hearing, the completion of this project will mean in excess of 100 jobs to County residents,

ROYSTON, MUELLER, MCLEAN & REID

ATTORNEYS AT LAW

SUITE 600

102 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4575

(301) 823-1800

TELECOPIER FAX (301) 828-7838

OF COUNSEL  
CARROLL W. ROYSTON  
H. ANTHONY MUELLER  
JOHN L. ASKEW

R. TAYLOR MCLEAN  
RICHARD A. REID  
E. HARRISON STONE  
MILTON R. SMITH, JR.  
C. S. KLINGELHOFER III  
THOMAS F. McDONOUGH  
LAWRENCE F. HANSLIP  
LAUREL P. EVANS  
KEITH R. TRUFFER  
ROBERT S. HANDZO  
EDWARD J. GILLISS  
C. LARRY HOFMEISTER, JR.  
ELIZABETH P. S. STELLMANN

December 22, 1987

Hand Delivered

Mr. J. Robert Haines  
Zoning Commissioner for  
Baltimore County  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Petition for Special Hearing for Parking in a  
Residential Zone (John F. Luckhardt, et. al)  
Item No. 190

Dear Commissioner Haines:

When we last spoke concerning the above matter, you indicated that when we were assigned our hearing date, if this posed a problem for us, I should get back to you. Unfortunately, it does.

As previously explained, the re-location of the Crown Shade Company from Baltimore City to Baltimore County has been actively and vigorously pursued by County representatives. Unfortunately, after the decision was made in the County's favor, the matter has "dragged on" for almost a year. The hearing date we now have is March 11, 1988, which if we are successful, will put us into late Spring before we can break ground. We were hoping, if at all possible, to have the matter heard in January. Based upon my client's contacts and meetings with representatives of the local neighborhood, we anticipate no opposition and, in fact, positive support.

Accordingly, it would be much appreciated if you would re-examine your schedule to see if there is any possibility of moving our March hearing to a sooner date.

Thank you for your consideration.

Sincerely yours,  
E. Harrison Stone

EHS:jz

cc: Anthony J. Haley,  
Office of Economic Development

ROYSTON, MUELLER, MCLEAN & REID

November 17, 1987

Mr. J. Robert Haines  
Page 2

which serves only to further emphasize the need for prompt action in this matter.

Thank you for your consideration.

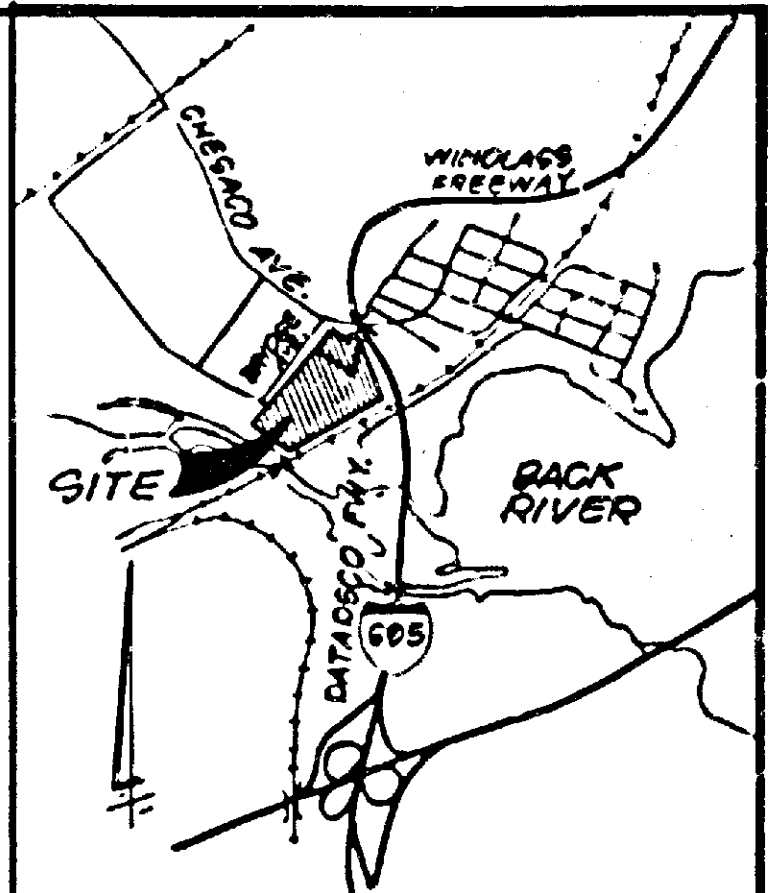
Sincerely yours,

E. Harrison Stone

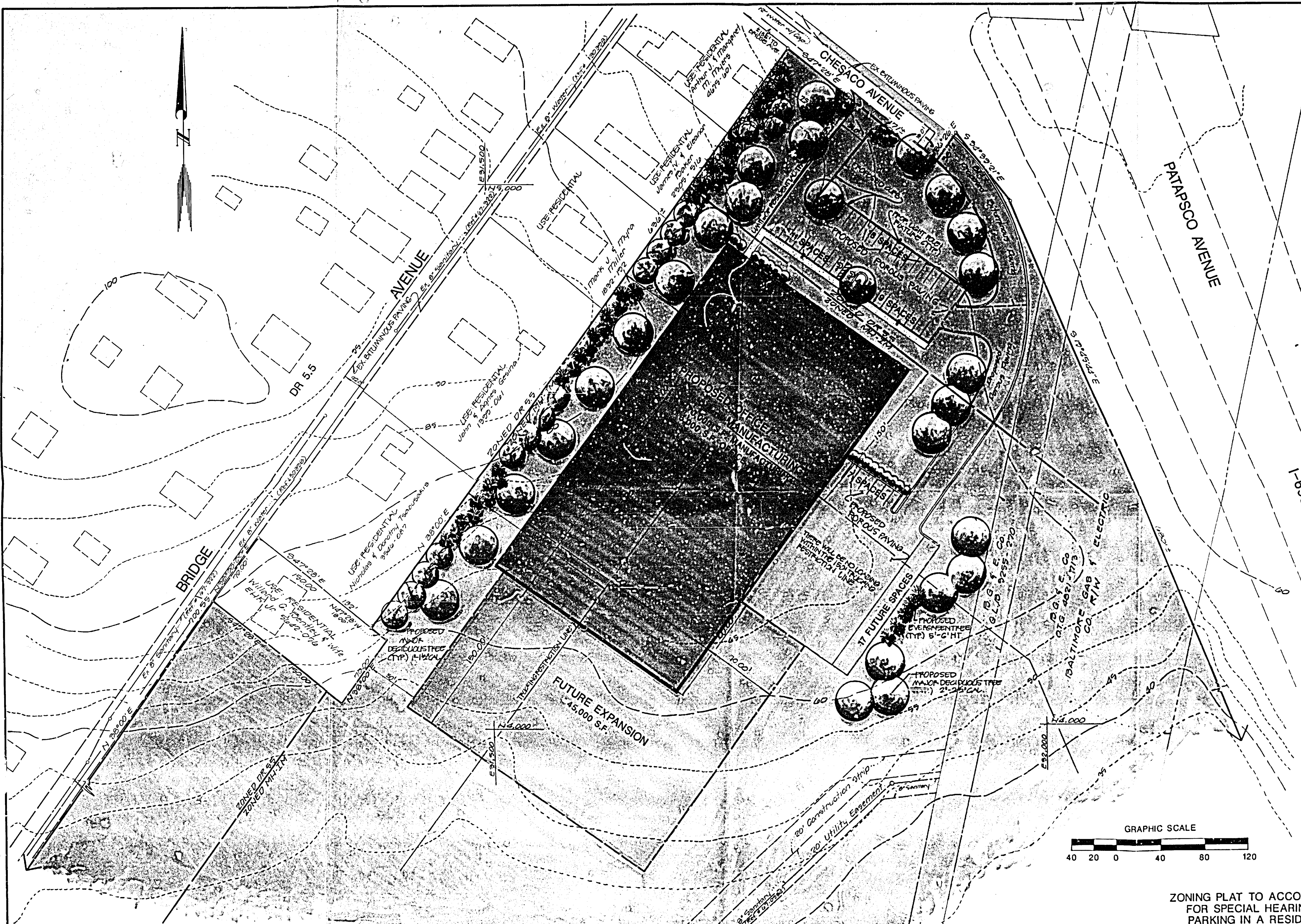
EHS:jz  
0930g

cc: Councilman Dale T. Volz  
Anthony J. Haley, Office of Economic Development



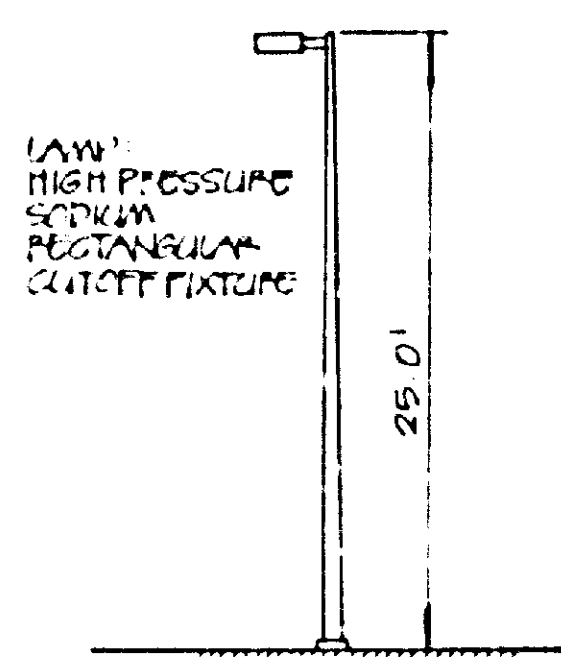


LOCATION MAP  
Scale: 1" = 2,000'

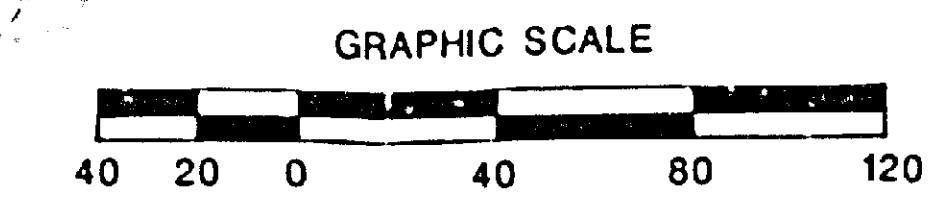


DR 5.5

1-695



TYPICAL LIGHT POLE  
NOT TO SCALE  
**TITIONER'S**



ZONING PLAT TO ACCOMPANY PETITION  
FOR SPECIAL HEARING TO ALLOW  
PARKING IN A RESIDENTIAL ZONE



**STV / LYON ASSOCIATES**  
Engineers Surveyors Planners  
21 Governor's Court Baltimore, Maryland 21207  
Telephone : 301-944-9112

REVISIONS		
NO	DATE	DESCRIPTION
1	1/1/2000	Per CRG Comments

CONTRACT  
PURCHASER:

MILTON S. GRODY  
C/O CROWN SHADE CO.  
415 OLIVER STREET  
BALTIMORE, MARYLAND 21202

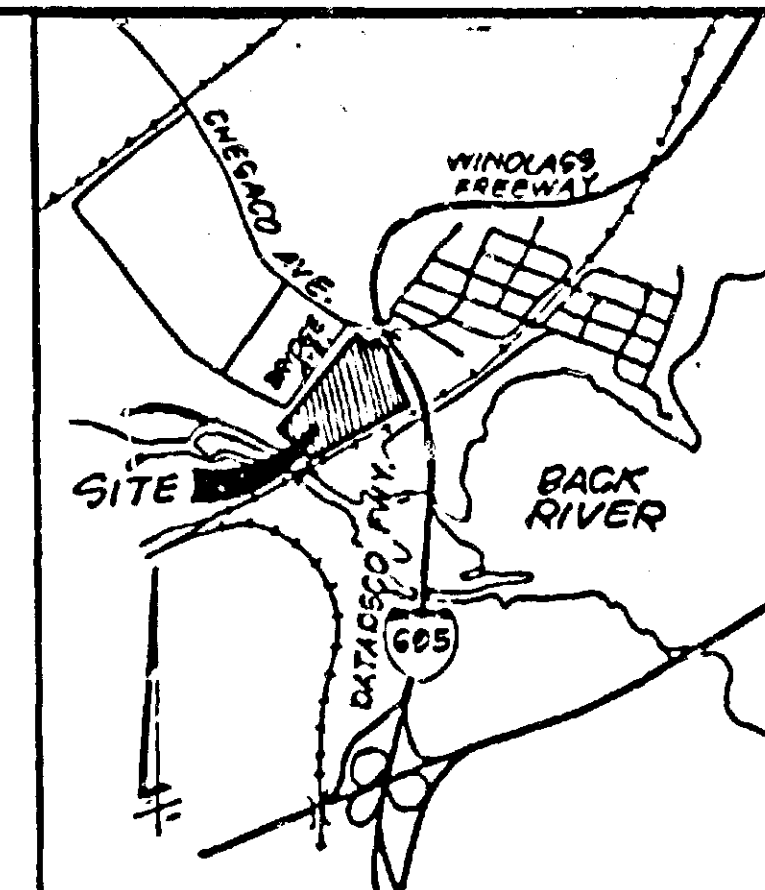
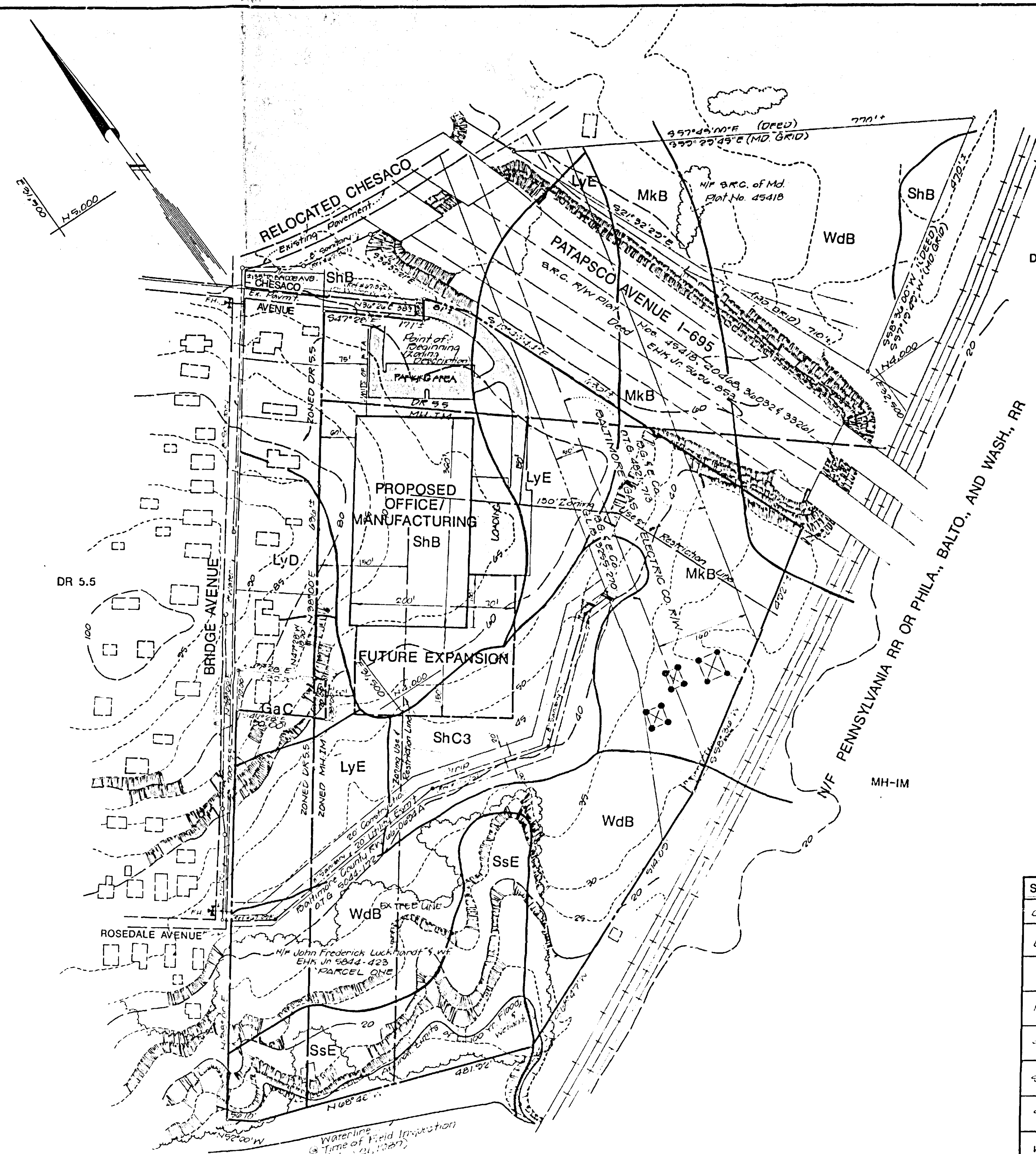
PLAN PREPARATION

DRAWN BY A. Catruden	DATE 11/16/97
DESIGNED BY	SCALE 1" = 40'
CHECKED BY	

**CROWN SHADE COMPANY**  
1127 CHESACO AVENUE  
ELECTION DISTRICT 15-C7

DRAWING NO.  
8083-59-001  
SHEET NO.  
2 of 2

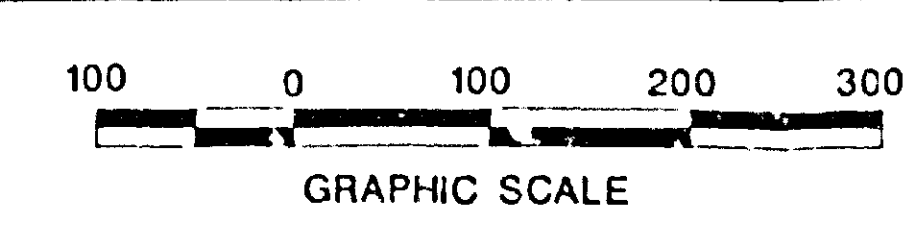




- NOTES:**
1. MNR: LUCKHART JOHN FREDERICK  
E.P.R. 30, 5841733  
Gross Site Area: 20.219 Acres  
2. SITE AREA: NET SITE AREA: 18.23 ACRES  
AREA REQUIRED FOR DEVELOPMENT: 8.0 ACRES
  3. EXISTING ZONING: OR 5.5  
PROPOSED ZONING: NO CHANGE
  4. EXISTING USE: MIXED AGRICULTURAL/UNDEVELOPED  
PROPOSED USE: MANUFACTURE OF WINDOW SHADES
  5. PROPOSED BUILDING USE: 5,000 S.F. OFFICE  
70,000 S.F. MANUFACTURING  
45,000 S.F. FUTURE EXPANSION
  6. PROPOSED BUILDING HEIGHT:  $\geq 25$  FT.
  7. PARKING REQUIRED:  
PROPOSED DEVELOPMENT:  
1 SPACE/2 EMPLOYEES: 75 EMPLOYEES + 3 = 25 SPACES  
1 SPACE/200 S.F. OFFICE: 5,000 S.F. + 200 = 16.7 SPACES  
TOTAL: 41.7 SPACES  
FUTURE DEVELOPMENT:  
1 SPACE/2 EMPLOYEES: 50 EMPLOYEES + 3 = 16.6 SPACES  
TOTAL REQUIRED: 39 SPACES  
8. PARKING PROVIDED: 48 SPACES PROPOSED  
12 SPACES FOR FUTURE DEVELOPMENT  
9. PROPOSED EXTERIOR LIGHTING: LOADING AREA WILL BE LIGHTED BY LIGHTS ON BUILDING. THE PARKING AREA WILL BE LIGHTED BY FREESTANDING LIGHTS AS SHOWN ON THE PLAN.
  10. ADJOINING PROPERTY OWNERS OWN TO THE CENTERLINES OF BRIDGE AVENUE AND CHESACO AVENUE. BALTIMORE COUNTY MAINTAINS THE TRAVELLED WAY, WHILE THERE ARE NO ESTABLISHED RIGHT-OF-WAYS.
  11. PER B.C.C.Z.R. SECTION 409.4:  
A. ONLY PASSENGER VEHICLES, EXCLUDING BUSES, WILL BE PERMITTED TO AREA AND NO LOADING, SERVICE, OR ANY USE OTHER THAN PARKING SHALL BE PERMITTED.  
B. PROPOSED EXTERIOR LIGHTING: THE LOADING AREA WILL BE LIGHTED BY FREESTANDING LIGHTS WITH CUTOFF FIXTURES WHERE INDICATED ON THE PLAN. LIGHTS WILL BE DIRECTED AWAY FROM ADJOINING RESIDENTIAL PROPERTY. LIGHTS WILL NOT EXCEED 15' IN HEIGHT.  
C. SCREENING IS SHOWN IN ACCORDANCE WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL, ADOPTED PURSUANT TO SECTION 22-105 OF TITLE 22 OF THE BALTIMORE COUNTY CODE. (RESOLUTION, NOVEMBER 21, 1994; NO. 31, 1994.)  
D. ALL PAVING WILL BE POROUS PAVING AS SHOWN ON PLAN.  
E. MILTON GRODY AS OWNER OF CROWN SHADE COMPANY WILL BE RESPONSIBLE FOR ROUTINE MAINTENANCE OF THE PROPERTY INCLUDING SNOW CLEARING AND PATCHING OR REPAIR, AND CLEANING OF PARKING AREA AS NECESSARY. PARKING AREA IS FOR THE USE OF CROWN SHADE EMPLOYEES OR BUSINESS ASSOCIATES. REGULAR BUSINESS HOURS ARE FROM 7:30 A.M. TO 4:00 P.M.
  12. B.C.C.Z.R. SECTION 296.5: WITHIN 150 FEET OF ANY RESIDENTIAL ZONE BOUNDARY, IN THE RIGHT-OF-WAY OF ANY STREET ADJOINING SUCH A BOUNDARY, ONLY PASSENGER AUTOMOBILE PARKING AND THOSE USES PERMITTED IN M.R. ZONES, AS LIMITED BY THE USE REGULATIONS IN SECTION 241, ARE PERMITTED, EXCEPT THAT MINERAL AGGREGATE EXCAVATED ON-SITE MAY REMAIN OR BE PLACED WITHIN 50 FEET OF SUCH A BOUNDARY OR RIGHT-OF-WAY, ANY USE OTHER THAN PASSENGER AUTOMOBILE ACCESSORY PARKING AND THOSE USES PERMITTED IN M.R. ZONES AS LIMITED BY THE USE REGULATIONS IN SECTION 241. EXISTING WITHIN 150 FEET OF THE RIGHT-OF-WAY OF AN EXISTING OR PROPOSED FREEWAY OR EXPRESSWAY SO DESIGNATED BY THE PLANNING BOARD, EXCEPT MINERAL AGGREGATE EXCAVATED ON-SITE, SHALL BE SCREENED FROM THE RIGHT-OF-WAY IN ACCORDANCE WITH THE STANDARDS AND CRITERIA CONTAINED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL ADOPTED PURSUANT TO SECTION 22-105 OF TITLE 22 OF THE BALTIMORE COUNTY CODE. NOTWITHSTANDING THE FOREGOING, NO TRUCKING FACILITY OR PART OF A TRUCKING FACILITY MAY BE ESTABLISHED WITHIN 150 FEET OF SUCH A RIGHT-OF-WAY. (BILL NO. 56, 1994; SUBSECTION 296.1; NO. 35, 1987; NO. 170, 1982; NO. 31, 1984.)
  13. THE SITE LIES WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

**PRINTED**  
FEB 01 1988  
REVISED PLANS  
ST VILYON ASSOC.

SYMBOL	NAME	FILTER FIELDS	HOMESITES W/ BASEMENTS	STREETS AND PARKING LOTS
GaC	Galestown	Slight	Slight	Severe Slope
LyD	Loamy and Clayey Land	Severe Slow Permeability	Severe Subsoil Shrinkage and Instability	Severe Subsoil Shrinkage and Instability; Slope
LyE	Loamy and Clayey Land	Severe Slow Permeability, Slope	Severe Subsoil Shrinkage and Instability, Slope	Severe Subsoil Shrinkage and Instability, Slope
MdB	Middletown	Slight to Moderate Moderate Permeability	Slight	Moderate Slope
ShB	Shadesboro	Slight	Slight	Moderate Slope
ShCB	Shadesboro	Slight	Slight	Severe Slope
SsE	Succatunus	Severe Slope	Severe Slope	Severe Slope
WdB	Woodstown	Moderate to Moderate High Water Table	Moderate to Moderate High Water Table	Moderate to Moderate High Water Table, Slope



ZONING PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING TO ALLOW PARKING IN A RESIDENTIAL ZONE

**STV / LYON ASSOCIATES**  
Engineers Surveyors Planners  
21 Governor's Court Baltimore, Maryland 21207  
Telephone : 301-944-9112

**REVISIONS**

NO.	DATE	DESCRIPTION
1	1-28-88	Revisions to Parking & Loading Areas, Change Note #11, Update Notes #5, #8.

**CONTRACT PURCHASER :** MILTON S. GRODY  
C/O CROWN SHADE CO.  
415 OLIVER STREET  
BALTIMORE, MARYLAND 21202

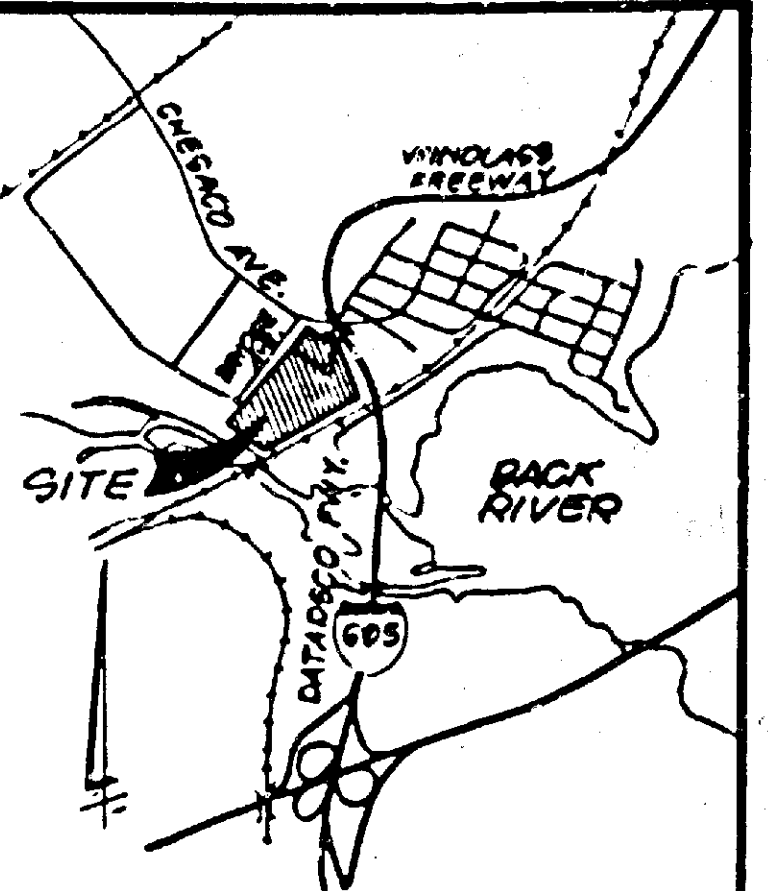
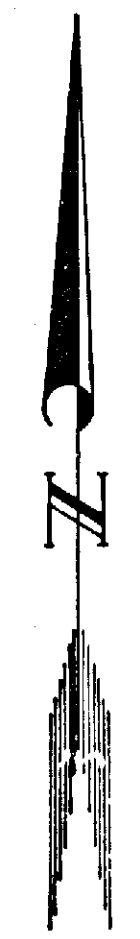
**PLAN PREPARATION**

DESIGNED BY	STV / LYON ASSOC.
DRAWN BY	STV / LYON ASSOC.
CHECKED BY	STV / LYON ASSOC.

**CROWN SHADE COMPANY**  
1127 CHESACO AVENUE  
ELECTION DISTRICT 15-C7  
BALTIMORE COUNTY, MARYLAND

**DRAWING NO.**  
8083-59-001  
**SHEET NO.**  
1 of 2





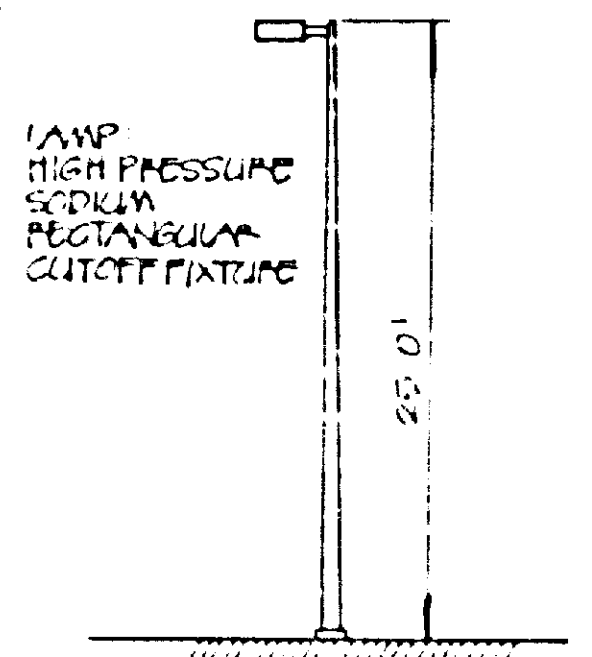
LOCATION MAP  
Scale: 1" = 2,000'



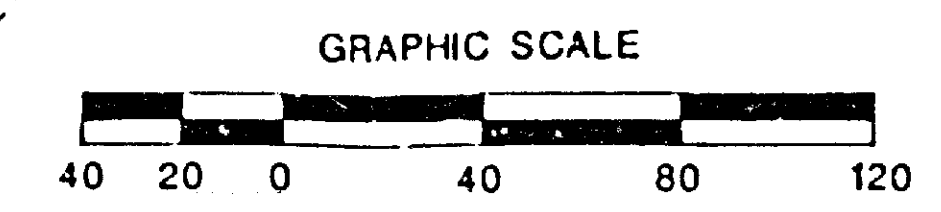
DR 5.5

1-695

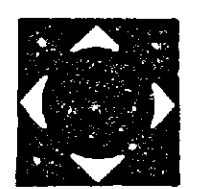
PRINTED  
FEB 01 1988  
ST VILYON ASSOC.



TYPICAL LIGHT POLE  
NOT TO SCALE



ZONING PLAT TO ACCOMPANY PETITION  
FOR SPECIAL HEARING TO ALLOW  
PARKING IN A RESIDENTIAL ZONE



**STV / LYON ASSOCIATES**

Engineers Surveyors Planners  
21 Governor's Court Baltimore, Maryland 21207  
Telephone : 301-944-9112

REVISIONS		
NO.	DATE	DESCRIPTION
1	1-28-88	Per CRG Comments

CONTRACT  
PURCHASER:

MILTON S. GRODY  
C/O CROWN SHADE CO.  
415 OLIVER STREET  
BALTIMORE, MARYLAND 21202

PLAN PREPARATION	
DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE

**CROWN SHADE COMPANY**  
1127 CHESACO AVENUE  
ELECTION DISTRICT 15-C7

DRAWING NO.  
8083-53-001  
  
SHEET NO.  
2 of 2